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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
SING, SIMON P	

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/790,172	PLOOF ET AL.	
	Examiner	Art Unit	
	Simon Sing	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 12 recites the limitation "the locator" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by DeLine US 6,420,975.

2.1 Regarding claim 1, DeLine discloses a interior sound system in figure 11, comprising:

an audio (verval) message (First auto message or first instant message) from a driver of a motor vehicle (column 46, lines 58-65);

a sound system 250 (mailbox) in a vehicle (mailbox vehicle), wherein the sound system 250 includes a digital sound processor, a display device where the audio message is converted to text and displayed (column 46, lines 58-65).

2.2 Regarding claims 2, Deline teaches a verbal message as discussed in claim 1.

2.3 Regarding claim 3, DeLine teaches using a voice recognition software (column 44, lines 3-5).

2.4 Regarding claim 4, DeLine teaches that the audio message is spoken into a microphone (column 46, lines 28-33).

3. Claims 1, 5 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Mayo US 5,133,081.

3.1 Regarding claim 1, Mayo discloses a remote messaging system in figure 10, comprising:

a digital message (First auto message or first instant message) transmitted from a remote message transceiver (RMT) 1002 (column 19, lines 42-57);

a receiver system 1005 (mailbox) in a vehicle (mailbox vehicle), wherein the receiver system 1005 includes a processor 1010, a display device 1011 where the digital message is displayed (column 19, lines 66-68; column 20, lines 1-5).

3.2 Regarding claim 5, Mayo teaches that the display device is a cathode ray tube (column 4, lines 48-56).

3.3 Regarding claim 20, Mayo discloses a messaging system in figure 10, comprising:

providing at least one receiving system (source device, same as mailbox) 1005 in a vehicle (source vehicle, same as mailbox vehicle), including a digital message (First auto message or first instant message) received from a remote message transceiver (RMT) 1002 (column 19, lines 42-57, 66-68); and

displaying the digital message on a display device 1011 (column 20, lines 1-5).

4. Claims 1, 7, 8, 11-18, 20 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Coon US 2003/0141990.

4.1 Regarding claim 1, Coon discloses a system for communicating alert information in figures 1 and 2, comprising:

a first alert message (First auto message or first instant message), such as "ROAD CLOSED UNTIL 5:00 PM", generated by an emergency vehicle EV 11 (para. 0035, 0038);

an alert system (mailbox) in the EV 11 (mailbox vehicle), wherein the alert system includes a processor 31, a display screen (not shown) where the alert message is displayed (figure 3; para. 0035).

4.2 Regarding claim 7, Coon teaches inputting the first alert message from a keypad (para.0035).

4.3 Regarding claim 8, coon teaches that the first alert message is an instant news (traffic condition) (para.0035).

4.4 Regarding claims 11 and 12, Coon teaches a locator (GPS 32) in the alert system (figure 3; para. 0023, oo33).

4.5 Regarding claim 13, Coon teaches a receiving device (source device) in a receiving (source) vehicle 14 for receiving the alert message (figure 5; para. 0011) wherein the alert message is included (received and stored) in the receiving device (column 0046, 0048), wherein the receiving device includes a processor 53 and a

display device 59 (column 0048), and wherein the alert system in the EV 11 generates a second alert message, such as "CONSTRUCTION ZONE REDUCE SPEED" that is displayed on the display device 59 (0035, 0048).

4.6 Regarding claim 14, as discussed in claim 13, the receiving device is in a receiving vehicle 14.

4.7 Regarding claim 15, Coon teaches that each of the EV 11 and the RV 14 has a GPS device (para. 0023, 0047)

4.8 Regarding claim 16, coon teaches that the second alert message is about a specific hazard (para. 0035)

4.9 Regarding claim 17, Coon teaches that the second alert message is an instant news (traffic condition) (para.0035).

4.10 Regarding claim 18, Coon teaches inputting the second alert message from a keypad (para. 0035).

4.11 Regarding claim 20, Coon discloses a method for communicating alert information in figures 1 and 2, comprising:

providing at least one alerting system in an emergency vehicle EV 11, including

a first alert message (First auto message or first instant message), such as "ROAD CLOSED UNTIL 5:00 PM" (figure 3; para. 0035);

providing at least one receiving system (mailbox) in a receiving (mailbox) vehicle RV 14 (figure 5), includes a display device 59 (para. 0048), and wherein the receiving system receives the first alert message (para. 0011, 0031, 0046, 0048); and

displaying the first alert message on the display device 59 (para. 0048).

4.12 Regarding claim 21, Coon further teaches:

providing a second alert message, such as "CONSTRUCTION ZONE REDUCE SPEED" for the RV 14 (para. 0011, 0035, 0048); and

providing a display device in the EV 11 and displaying eh second alert message (para. 0035).

5. Claims 1, 6, 9, 10, 13, 16, 19, 20 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Berstis et al. US 6,505,165.

5.1 Regarding claim 1, Berstis discloses an automotive computing system for locating facilities, such as gas stations, restaurants and hotels in figure 3, comprising:

a received message (First auto message or first instant message), such as a facility is open for business or not (column 7, lines 40-46);

a computing system (mailbox) 300 (figure 3) in a automobile (mailbox vehicle) (column 5, lines 11-13), wherein the computing system 300 includes a CPU 302 and a display 324 for displaying the received message (column 5, lines 13-15, 47-48; column 7, lines 40-46).

5.2 Regarding claim 6, Berstis teaches that the received message includes nearest grocery stores, gas stations (which provide emergency services such as towing and auto repairing), restaurants and hotels (column 7, lines 40-65; column 6, lines 30-36, 54-59).

5.3 Regarding claim 9, Berstis teaches that the received message is traffic condition (which inherently includes accident notification), weather condition (includes hazard condition) and other information (column 1, lines 59-61; column 4, lines 3-10).

5.4 Regarding claim 10, Bertis teaches display the received message on a car window (windshield) (column 5, lines 50-52). Bertis also teaches that the computing system is within a vehicle, which includes the car console, radio console and car windows (column 5, lines 11-13).

5.5 Regarding claim 13, Bertis further teaches a server computer 104 in figures 1 and 2 (column 4, lines 35-38), comprising the message (column 4, lines 3-10),

processors 202 and 204, and a graphics adapter 230 which inherently connected to a display (column 4, lines 38-40, 61-63).

5.6 Regarding claim 16, Berstis teaches that the received message is traffic condition (which inherently includes accident notification), weather condition (includes hazard condition) and other information (column 1, lines 59-61; column 4, lines 3-10).

5.7 Regarding claim 19, Berstis teaches that the received message includes nearest grocery stores, gas stations (which provide emergency services such as towing and auto repairing), restaurants and hotels (column 7, lines 40-65; column 6, lines 30-36, 54-59).

5.8 Regarding claim 20, Berstis discloses a method for communicating facilities information in figure 1, comprising steps of:

providing at least one source device (transceiver) in one source vehicle (satellite 128), wherein the source device includes information (First auto message or first instant message), such as traffic to weather condition (column 4, lines 3-10);

providing at least one computing system (mailbox) 300 in a vehicle 110 (mailbox vehicle), wherein the computing system includes a display device 324, and wherein the computing system 300 receives the information (figure 3; column 4, lines 3-10, column 5, lines 11-13, 47-52); and

displaying the information on the display device 324 (column 5, lines 47-52).

5.9 Regarding claim 22, Berstis teaches that the received message includes nearest grocery stores, gas stations (which provide emergency services such as towing and auto repairing), restaurants and hotels (column 7, lines 40-65; column 6, lines 30-36, 54-59).

6. Claims 1 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gorday et al. US 2004/0192331.

Gorday discloses a messaging system in figures 1-5, comprising a plurality of wireless communication devices (mailboxes) 110-170 in figure 1, wherein each wireless communication device, such as a PDA or a cellular phone, inherently includes a microprocessor and a display (figure 2; para. 0013). Gorday further teaches that the wireless communication devices are located in vehicles mailbox vehicle and source vehicle) (figure 4; para. 0015).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7.1 Mann et al. US 5,796,344.

7.2 Strein et al. US 6,880,276.

7.3 Young US 2003/0227375.

7.4 Dukech et al. US 6,701,143.

7.5 Rimer US 5,432,841.

7.6 Carey et al. US 6,714,793.

8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

S. Sing

06/17/2006

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